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KERALA GAZETTE

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. KLS/1755/2025-Legin2.

Dated, Thiruvananthapuram, 2nd March, 2025

THE KERALA STATE PRIVATE UNIVERSITIES (ESTABLISHMENT AND REGULATION) BILL,
2025 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum
regarding Delegated Legislation, is published under Rule 69(5) of the Rules of Procedure and Conduct of
Business in the Kerala Legislative Assembly.

Dr. N. Krishna Kumar,
Secretary.



Fifteenth Kerala Legislative Assembly
Bill No. 244

[Translation in English of “2025-ലെ കേരള സംസ്ഥാന സ്വകാര്യ സർവ്വകലാശാലകൾ (സ്ഥാപനങ്ങൾ നിയന്ത്രണം) ബിൽ” published under the authority of the Governor.]

**THE KERALA STATE PRIVATE UNIVERSITIES (ESTABLISHMENT AND REGULATION) BILL,
2025**

A

BILL

to provide for establishment and incorporation of private universities in the State for imparting higher education and to regulate their functions and for matters connected therewith and incidental thereto.

Preamble. - WHEREAS, it is expedient to provide for establishment and incorporation of private universities in the State for imparting higher education and to regulate their functions and for matters connected therewith and incidental thereto;

BE it enacted in the Seventy-sixth Year of the Republic of India as follows:-

1. *Short title, extent and commencement.-* (1) This Act may be called the Kerala State Private Universities (Establishment and Regulation) Act, 2025.

(2) It extends to the whole of the State.

(3) It shall come into force on such date as the Government may, by notification, appoint and different dates may be appointed for different provisions.

2. *Definitions.-* In this Act, unless the context otherwise requires,-

(a) “Academic Council” means the Academic Council of the University constituted under section 24;

(b) “Boards of Studies” means the Boards of Studies of the University constituted under section 25;

(c) “Body” means the bodies constituted under this Act or Statutes or Regulations;

(d) “Chancellor” means the officer appointed under section 14;

(e) “Controller of Examinations” means the officer appointed under section 18;

(f) “Deans and Directors” means the Head of a teaching Department, an institution, a centre or a school, or the person designated to act as such in his absence;

(g) “Teaching Department” means the Teaching Department of a University and includes a Centre for Teaching and Research;

(h) “Employee” means any person appointed by the University, and includes a teacher and other officers;

(i) “Executive Council” means the Executive Council of a University constituted under section 23;



- (j) "Expert Committee" means an Expert Committee constituted under section 6;
- (k) "Faculty" means faculty of the University;
- (l) "Finance Committee" means the Finance Committee of the University constituted under section 27;
- (m) "Finance Officer" means the officer appointed under section 19;
- (n) "Governing Council" means the Governing Council constituted under section 22;
- (o) "Government" means the Government of Kerala;
- (p) "Hostel" means a unit of residence for the students of the University, established, maintained or recognised by the University in accordance with the provisions of the Act, Statutes or Ordinances;
- (q) "Institution" means a college or institution established or maintained by or associated with the University in accordance with the provisions of this Act or the Statutes;
- (r) "Multi disciplinary" means studies in humanities, social science, technology, architecture, health, similar fields of study related to health, education, agriculture, animal husbandry, etc. and other disciplines;
- (s) "Planning Committee" means the Planning Committee of the University constituted under section 28;
- (t) "Prescribed" means prescribed by Rules, Statutes, Ordinances or Regulations made under this Act;
- (u) "Pro-Vice-Chancellor" means the officer appointed under section 16;
- (v) "Registrar" means the officer appointed under section 17;
- (w) "Regulatory Body" means University Grants Commission, All India Council for Technical Education, National Council for Teacher Education, Bar Council of India, Council of Architecture and such other regulatory bodies;
- (x) "Research Council" means the Research Council of the University constituted under section 26;
- (y) "Schedule" means the schedule appended to this Act;
- (z) "Sponsoring Body" means a trust registered under Indian Trusts Act, 1882 (Central Act 2 of 1882) or a society registered under the provisions of any existing Act relating to registration of societies or a company registered under the Companies Act, 2013 (Central Act 18 of 2013)
- (za) "State" means the State of Kerala;
- (zb) "State Public University" means a University established by the Government under an Act and functions with the financial aid from the consolidated fund of the Government;
- (zc) "Statutes", "Ordinances", "Regulations", "Bye-laws", "Rules" means the Statutes, Ordinances, Regulations, Bye-laws and Rules respectively of the University and includes Rules made by the Government;
- (zd) "Student" means a person duly enrolled in the register of a University for a course of study;
- (ze) "Students council" means the students council of the University constituted under section 29;
- (zf) "Teacher" means a person appointed or recognised by the University for imparting instruction or for supervising research of a student;
- (zg) "U.G.C." means the University Grants Commission established under section 4 of the University Grants



Commission Act, 1956 (Central Act 3 of 1956);

- (zh) "University" means Private University;
- (zi) "Vice-Chancellor" means the officer appointed under section 15.

3. Nature of the University.-(1) The University shall be a multi disciplinary University and its location shall be within the State:

Provided that, the University may be permitted to open off-campus centres, off-shore campuses and study centres both outside the State and country, subject to the conditions stipulated by the U.G.C. and the regulatory bodies concerned.

(2) The University shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said name.

(3) The University shall have unitary nature and shall not have power to affiliate or recognise any college or institution:

Provided that, the sponsoring body may establish the University as a multi-campus University within the State.

4. Conditions for establishment of University.- (1) The sponsoring body shall, for establishing the University under this Act, fulfill the following conditions, namely:-

- (a) to constitute an Endowment fund of atleast twenty-five crore rupees;
- (b) to possess land as stipulated by the regulatory bodies for the University;

Provided that, the sponsoring body may establish the University as a multi-campus University, in such case, the sponsoring body shall have a minimum of ten acres of land at the place where the headquarters or registered office of the University is proposed and shall establish a campus in the said land:

Provided further that, the sponsoring body shall not sell, transfer or lease out such land or any part thereof and shall not use it for any other purposes other than the purposes mentioned in this Act for the functioning of the University:

Provided also that, such land shall be mortgaged to a bank or financial institution established under any law for the time being in force for any purpose other than availing loan for establishing and developing the University, but such land shall not be mortgaged to any other person;

(c) to construct buildings with carpet area of minimum twenty-four thousand square metres on land referred to in clause (b),of which a minimum of fifty per cent shall be utilized for academic and administrative purposes:

Provided that, the built-up area shall not be less than the total area reckoned at the per capita area of five square metre or the area prescribed by the regulatory bodies concerned from time to time or the area fixed for this purpose by the University, whichever is maximum:

Provided further that, the land and infrastructure of private self financing college under the sponsoring body may be used for the purpose of University;

- (d) to establish all necessary infrastructure facilities as prescribed by the regulatory body concerned;
- (e) to appoint teachers according to the standards laid down by the regulatory body concerned and the Government;



(f) to provide provident fund for the employees and teachers of the University and to implement other welfare schemes required under any applicable laws or regulation issued by the Government or the regulatory bodies concerned;

(g) to ensure transparent functioning of the University and shall publish the sanctions obtained from the regulatory bodies and standard of admissions and fee structure in the public domain;

(h) to reserve forty per cent seats in each course to students who are permanent residents of the State, in which the existing reservation system in the State shall be made applicable;

(i) to provide concessions in fees and institute scholarships to students belonging to Scheduled Caste and Scheduled Tribes as determined by the Government from time to time;

(j) to furnish information required by the Government in the manner and time specified by the Government.

5. Application for establishment of University.- (1) Any sponsoring body intending to establish a University shall submit an application containing the proposal and the project report to the Government along with application fee as may be fixed by the Government from time to time.

(2) The project report shall contain the following details, namely:-

(a) the purpose and vision of the proposed University;

(b) the necessity of establishment of the proposed University;

(c) the details of the sponsoring body along with the copies of registration certificate under the Indian Trusts Act, 1882(Central Act 2 of 1882) or any existing Act relating to registration of societies or the Companies Act, 2013 (Central Act 18 of 2013);

(d) experience and domain expertise in the proposed disciplines;

(e) the name, place and headquarters of the proposed University;

(f) the details of academic facilities including teaching and non-teaching employees, if any, of the sponsoring body;

(g) the details of plans for campus development such as, construction of buildings, development of structural amenities, development of infrastructure facilities and procurement of equipment for starting the University;

(h) capital expenditure and its sources of finance;

(i) the nature and type of innovative programmes and research programmes proposed to be undertaken by the University;

(j) the facilities proposed to be introduced;

(k) the scheme of mobilizing resources and the cost of capital thereto and the manner of repayment to such sources;

(l) detailed financial statements and key operating ratios with a split-up of sources of revenue generated internally;

(m) the system proposed to be followed for selecting students for admission to the courses of study at



the University;

- (n) the system proposed for appointment of teachers and other employees in the University;
- (o) the nature of specialised teaching, training and research activities to be undertaken by the University including those related to the local needs, so as to fulfil its objects;
- (p) the details of playgrounds and other facilities available or proposed to be created for games and sports and extracurricular activities like National Cadet Corps and National Service Scheme;
- (q) initial plans for academic and research excellence, including accreditations to be sought and academic auditing;
- (r) details of the concessions or rebate in fees or scholarships, if any, to be granted by the University to the students from economically or socially backward sections;
- (s) commitment to follow the norms of the regulatory bodies.

6. Expert Committee to evaluate the application.- (1) The Government shall constitute an Expert Committee to examine the application received from the sponsoring body.

- (2) The Expert Committee shall consist of following members, namely:
 - (i) An academic expert from the field of higher education nominated by the Government – Chairperson;
 - (ii) One Vice-Chancellor of State Public University, nominated by the Government – Member;
 - (iii) Secretary, Higher Education Department – Convenor;
 - (iv) One person nominated by the Kerala State Higher Education Council – Member;
 - (v) One person nominated by the Kerala State Planning Board – Member;
 - (vi) The Collector of the District where the University is proposed to be established – Member.
- (3) The Expert Committee shall examine the application under the provisions of section 5:

Provided that, the Expert Committee may examine any other factors as it deems fit:

Provided further that, the Expert Committee, while considering the application and the project report, may call for such other information from the sponsoring body as it thinks proper for the purpose.

(4) The Expert Committee shall make recommendation on the establishment of the University to the Government within a period of two months from the date of its constitution.

7. Decision of the Government on Expert Committee report.- (1) The Government shall, after considering the recommendation of the Expert Committee, take a decision for accepting or rejecting the proposal or request the sponsoring body to make modification in the proposal or seek additional information.

(2) The Government shall, within two months of receipt of complete information inform the sponsoring body of its decision to accept or reject the proposal, as the case may be.

(3) If the permission is granted by the Government, the sponsoring body shall fulfill the requirements and



conditions specified in section 5 of this Act and shall submit a compliance report along with an affidavit to the Government, within a maximum period of two years from the date of granting permission:

Provided that, if such an affidavit and report are not submitted within the said period, the Government may extend the time for a maximum period of six months and if it is not submitted within the said period, the permission shall be deemed to have been voluntarily cancelled.

(4) The Government shall have power to withdraw the permission granted to the sponsoring body, if the sponsoring body fails to comply with the provisions of section 4 of this Act:

8. Establishment or incorporation of the University.- If the Government is satisfied, on the basis of the report submitted by the expert committee, that the sponsoring body has complied with the conditions, the university may be established through an Act passed by the State Legislature, by amending the schedule appended to this Act to include the name, location, and other particulars of the university.

9. Commencement of University.- (1) The University shall commence its function on such date as the Government may, by notification, specify.

(2) The Government shall issue a notification under sub-section (1) only after receipt of an affidavit along with documents from the sponsoring body to the all the conditions referred to in this Act have been fulfilled and after the Government is satisfied in this behalf,

10. Grants and Financial Assistance.- Every University shall be a self-financing University and shall not demand or be entitled to maintenance, grant-in-aid or any other kind of financial assistance from the Government:

Provided that, this shall not impede a University from applying for research projects or any other academic projects which may or may not entail financial grant or financial support from any other source:

Provided further that, a University may sign Memorandum of Understanding or collaborate with the Government or Central Government or its agencies for any specific research or programme and in such cases, it may receive financial assistance for the same.

11. Powers of University.- Each University shall have the following powers, namely:-

(a) to provide for instructions in such branches of learning as the University may, from time to time, determine and to make provisions for conducting research and for the advancement, dissemination and application of knowledge and skills;

(b) to impart and promote the study of humanities social science, technology, architecture, health and allied ares of study relative to health education, agriculture, animal husbandry and any other professional courses through its campus ;

(c) to honour eminent educationalists and reputed persons in academic field with the status of professor Emeritus;

(d) to confer diplomas, certificates degrees or other academic distinctions on the basis of examinations, evaluation or any other method of test and to withdraw such diplomas, certificates, degrees or other academic distinctions for fair and sufficient reason subject to such conditions as the University may determine;

(e) to confer honorary degrees or other distinctions in such manner as may be prescribed;



- (f) to provide education and training to persons who are not students of the University, as it may determine;
- (g) to institute directorships, professorships, associate professorships, readerships, assistant professorships, lecturerships required by the University and to make appointments thereto;
- (h) to create other teaching or academic posts and to make appointments thereto;
- (i) to create administrative, ministerial and other posts and to make appointments thereto;
- (j) to appoint persons of eminence working in any other University or organisation permanently or for a specified period;
- (k) to co-operate, collaborate or associate with any other University or authority or institution in India and abroad in such manner and for such purpose as the University may determine;
- (l) to establish and maintain such schools, centres, specialised laboratories or other units for research and teaching which in the opinion of the University, are necessary for the furtherance of its objects;
- (m) to institute and award fellowships, scholarships, studentships, medals and prizes;
- (n) to establish, maintain and supervise lodgings and hostels within the University and promote the health and general welfare activities for students and employees;
- (o) to make provisions for research and consultancy, and for that purpose to enter into such arrangements with such other institutions or bodies as the University may deem necessary;
- (p) to establish a centre, institution, department or school, as the case may be, in accordance with the provisions of the Statutes;
- (q) to determine criteria for admission into the University, which may include examination, evaluation or any other method of test;
- (r) to fix, demand and receive fees and other charges;
- (s) to make such arrangements in respect of the residence, discipline and teaching of women and economically socially and physically challenged students in the manner, as the University may deem fit;
- (t) to ensure discipline amongst the employees and students of the University and take such disciplinary measures as the University may deem fit;
- (u) to make arrangements for promoting the health and general welfare of the employees of the University;
- (v) to borrow without security or by way of hypothecation or mortgage against the property of the University with the approval of the sponsoring body;
- (w) to appoint either on contract or otherwise, visiting professors, emeritus professors, consultants, fellows, scholars, artists, course writers and such other persons who are eligible to provide academic contribution for achieving the objects of the University;
- (x) to organise and to undertake extra-mural studies and extension service;
- (y) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.



12. *Admission.*- (1) Every University shall, subject to the provisions of this Act and the statutes concerned and regulations of the U.G.C. and other regulatory bodies, as the case may be, give admission to all persons:

Provided that, the provisions in sub-section (1) shall not be applicable for admitting to any person who does not possess the prescribed academic qualification or standard to any course of study or for retaining any student whose academic record is below the minimum standard required for the award of a degree or other academic distinction on the rolls of the University.

(2) Subject to the provisions of sub-section (1) and such admission process, as may be prescribed, the University shall reserve forty percentage of seats in each course of study for permanent resident students of the State;

(3) It shall be ensured that the admission of students to forty percentage of seats in all categories reserved for permanent resident students of the State under sub-section (2) is done in accordance with the existing law on reservation.

Explanation. - For the purpose of this section, “permanent resident student of the State” means: -

(i) a student who has resided or either of his parents has resided in the State for a period of not less than five years preceding the qualifying examination; or

(ii) a student who has studied in any one of the educational institutions in the State for a period of not less than five years leading to the qualifying examination.

13. *Officers of the University.*- The following shall be the officers of the university, namely:-

- (a) The Chancellor;
- (b) The Vice-Chancellor;
- (c) The Pro-Vice-Chancellor;
- (d) The Registrar;
- (e) The Dean;
- (f) The Director;
- (g) The Finance Officer;
- (h) The Controller of Examinations;

(i) other persons as may be declared by the Statutes to be officers of the University.

14. *The Chancellor.* -(1) The sponsoring body shall appoint an academician of high repute or a person of eminence in any of the fields including agriculture and veterinary science, technology, medicine, social science, humanities, literature, art, culture, law, industry, commerce or public administration as the Chancellor of the University and on such terms and conditions and by following such procedure as may be prescribed:

Provided that, in the event of a temporary vacancy occurring in the office of the Chancellor, the sponsoring body shall appoint a Chancellor temporarily.

(2) The Chancellor shall hold office for a term of five years from the date of assuming office.

(3) The Chancellor shall be the head of the University.



(4) The Chancellor shall preside over the meetings of the Governing Council and in the convocation of the university for awarding degrees, diplomas or other academic distinctions;

(5) The Chancellor shall have the following powers, namely: -

- (a) to call for any information or record;
- (b) to appoint and remove the Vice-Chancellor as per the rules;
- (c) to appoint the Governing Council;
- (d) such other powers as may be prescribed by the Statutes.

15. The Vice-Chancellor. - (1) The Chancellor shall appoint a person possessing the qualification and standards as Vice-Chancellor by following the procedures prescribed by U.G.C.;

(2) The Vice-Chancellor shall hold office for a term of five years from the date of assuming office:

Provided that, a person appointed as the Vice-Chancellor shall be eligible for re-appointment for one more term of five years.

(3) The Vice-Chancellor shall be the Chief Administrative and Academic Officer of the University who shall exercise general superintendence and control over the affairs of the University and execute the decisions of various authorities of the University;

(4) In the absence of the Chancellor, the Vice-Chancellor shall preside over the convocation of the University.

(5) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the Rules, Statutes, Ordinances, Regulations, and bye-laws made thereunder are rightly observed and carried out, and he shall have all powers necessary for this purpose.

(6) If at any time except when the Executive Council or the Academic Council is in session, the Vice-Chancellor is satisfied that an emergency has arisen requiring him to take immediate action involving the exercise of any power vested in the Executive Council or the Academic Council by or under this Act the Vice-Chancellor may take such action as he deems fit, and shall, at the next session of the Executive Council or the Academic Council, as the case may be, report the action taken by him to that authority for such action as for such action which the said authority may consider necessary.

(7) Subject to the provisions of the Statutes and the Ordinances, the Vice-Chancellor shall have the power to appoint, suspend, dismiss or otherwise punish any employee of the University other than the officers specified in section 13 of this Act.

(8) The Vice-Chancellor shall have the power to convene meetings of any other authorities of the University.

(9) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes.

(10) The salary and other conditions of service of the Vice-Chancellor shall be as may be prescribed by the Statutes.

(11) When there is a temporary vacancy occurring in the office of the Vice-Chancellor, or where the Vice-Chancellor is temporarily absent, the Pro Vice-Chancellor shall exercise the powers and perform the functions of the Vice-Chancellor.



(12) When the Vice-Chancellor and the Pro-Vice-Chancellor are temporarily absent, the Executive Council shall select a senior professor of the University from a panel of three persons in the order of seniority and such selected person shall exercise the powers and perform the functions of the Vice-Chancellor and the Pro-Vice-Chancellor appointment of the Vice-Chancellor.

(13) In the event of occurrence of permanent vacancy in the post of Vice-Chancellor, the Chancellor shall initiate necessary action for the appointment of Vice-Chancellor within one month of the occurrence of the vacancy and till such appointment is made, the Executive Council shall select a senior Professor of the University from a panel of three persons in the order of seniority for exercising the powers and performing the functions of the Vice-Chancellor and such selected person shall exercise the powers and perform the functions of the Vice-Chancellor till the Vice-Chancellor is appointed.

16. *Pro-Vice-Chancellor.* - (1) The Pro-Vice-Chancellor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor.

(2) The Pro-Vice-Chancellor shall hold office for a period, which is co-terminus with that of the Vice-Chancellor.

(3) The Pro-Vice-Chancellor shall be a full-time salaried officer of the University and shall have the qualification as prescribed by the U.G.C. from time to time.

(4) The Executive council shall have power to remove the Pro-Vice-Chancellor from office by an order in writing on charges of misappropriation of fund of University or mismanagement or misbehaviour:

Provided that, such charges shall be proved by an enquiry conducted by a committee appointed by the Chancellor before such removal:

Provided further that, the Pro-Vice-Chancellor shall not be removed under this section unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

(5) The salary and other conditions of service of the Pro-Vice-Chancellor shall be as may be prescribed by the Statutes.

(6) Subject to the provisions of this Act, Statutes, Ordinances and Regulations, the powers and functions of the Pro-Vice-Chancellor shall be determined by the Executive Council in consultation with the Vice-Chancellor and the Pro-Vice-Chancellor shall exercise such powers and perform such functions in due course.

17. *The Registrar.*- (1) The Registrar shall be a full-time salaried officer of the University and shall be appointed by the Executive Council.

(2) The Registrar shall hold office for a period of five years from the date of assuming office:

Provided that, a person appointed as Registrar shall be eligible for re-appointment for one more term subject to the provisions of sub-section (2).

(3) The Registrar shall exercise such powers and perform such functions as may be prescribed by the Statutes.

(4) Suits by or against the University shall be instituted by or against the Registrar.

(5) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other functions as may be prescribed.



(6) The Registrar shall be the member secretary of the Governing Council, Executive Council and Academic Council of the University.

18. *The Controller of Examinations.*- (1) The Controller of Examinations shall be a full-time salaried officer of the University and shall be appointed by the Executive Council.

(2) The Controller of Examinations shall hold office for a period of five years from the date of assuming office:

Provided that, a person appointed as Controller of Examinations shall be eligible for re-appointment for one more term subject to the provisions of sub-section (2).

(3) The Controller of Examinations shall exercise such powers and perform such functions as may be prescribed by the Statutes.

19. *The Finance Officer.* - (1) The Finance Officer shall be a full-time salaried officer of the University and shall be appointed by the Executive Council.

(2) The Finance Officer shall hold office for a period of five years from the date of assuming office:

Provided that, a person appointed as Finance Officer shall be eligible for re-appointment for one more term subject to the provisions of sub-section (2).

(3) The Finance Officer shall exercise such powers and perform such functions as may be prescribed by the Statutes;

20. *Other Officers.* - The manner of appointment, powers and functions of the other officers of a University, shall be as provided by this Act, Statutes, Regulations, Regulations issued by UGC and Rules made by the Government.

21. *Authorities of University.*- The University shall have the following authorities, namely:

- (a) The Governing Council;
- (b) The Executive Council;
- (c) The Academic Council;
- (d) The Board of Studies;
- (e) The Finance Committee;
- (f) The Planning Committee;
- (g) The Research Council; and
- (h) such other authorities as may be specified by the Statutes to be the authorities of the University;

22. *Governing Council.* - (1) The Governing Council of the University shall consist of the following members, namely:

- (a) The Chancellor;
- b) The Vice-Chancellor;
- (c) The Secretary, Higher Education Department;



- (d) One Secretary, nominated by the Government;
 - (e) One eminent academician, nominated by the Government;
 - (f) Four persons nominated by the sponsoring body, of whom two shall be eminent educationalist;
 - (g) One expert of management or technology from outside the University, nominated by the Chancellor;
 - (h) Financial expert, nominated by the Chancellor;
 - (i) One teacher of the University not below the rank of Associate Professor, nominated by the Chancellor.
- (2) The Governing Council shall be reconstituted every five years.
- (3) The Governing Council shall meet at least twice a year.
- (4) The quorum of the meeting shall be fifty percent of total members:

Provided that, the Secretary, Higher Education Department or the member nominated by the Government shall attend all meetings in which decision on issues involving Government policies or instructions are to be taken.

- (5) The Governing Council shall have the following powers, namely:-

- (a) to provide for exercising general superintendence, issuing directions and controlling the functions of the University by exercising all such powers provided in this Act, Statutes, Ordinances, Regulations or Rules;
- (b) to make, amend or repeal Statutes;
- (c) to review the decisions of other authorities of the University in case they are not in conformity with the provisions of this Act, Statutes, Ordinances, Regulations or Rules;
- (d) to approve budget and annual report of the University;
- (e) to frame the extensive policies to be followed by the University;
- (f) to give recommendation to the sponsoring body for dissolution of the University, in case the University fails to function smoothly inspite of repeated efforts; and
- (g) such other powers as may be prescribed by the Statutes;

23. *Executive Council.* - (1) The Executive Council shall be the chief executive body of the University.

- (2) The Executive Council of the University shall consist of the following members, namely:-

- (a) The Vice-Chancellor;
 - (b) The Pro Vice-Chancellor;
 - (c) An eminent academician nominated by the Government;
 - (d) Three members of Governing Council, nominated by the Chancellor, of whom one shall be a teacher of the University;
 - (e) Three persons of the sponsoring body who have expertise in the relevant disciplines of the University nominated by the Chancellor,;
- (3) The Executive Council shall meet at least once in three months.



4) The quorum for the meeting shall be fifty percent of its total members:

Provided that, the member nominated by the Government shall attend all meeting in which decision on issues involving Government policies or instructions are to be taken.

(5) The Vice-Chancellor shall be the Chairperson of the Executive Council.

(6) The Executive Council shall be re-constituted every five years.

(7) The Executive Council shall subject to the provisions of this Act, have the following powers and functions, namely: -

(a) to hold and control the property and funds of the University;

(b) to acquire any movable or immovable property on behalf of the University;

(c) to make, amend or repeal Ordinances;

(d) to administer any fund placed at the disposal of the University for specific purposes;

(e) to prepare budget and annual report of the University;

(f) to institute scholarships, fellowships, bursaries, medals and other rewards in accordance with the provisions of the Statutes and Ordinances;

(g) to appoint Pro-Vice-Chancellor, Registrar, other officers, teachers and employees of the University and define the duties and conditions of their service;

(h) to determine the honorarium, emoluments, traveling allowance and other allowances of the examiners;

(i) to direct the form and use of the common seal of the University; (j) to regulate and enforce discipline among members of the teaching, administrative and other officers of the University in accordance with the provisions of the Statutes and Ordinances;

(k) to regulate the finances, accounts, investment, property and all other administrative affairs of the University;

(l) to invest any money of the University including endowed property;

(m) to provide the buildings, premises, furniture, equipments and other facilities required for exercising the functions of the University;

(n) to enter into, modify, carry out or cancel contracts on behalf of the University;

(o) to regulate and determine all other matters relating to the University in accordance with the provisions of this Act, Statutes, Ordinances and Rules.

24. *Academic Council.*- (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of the Statutes, Ordinances and Regulations, co-ordinate and exercise general superintendence over the academic policies of the University.

(2) The Academic Council of the University shall consist of the following members, namely: -

(a) The Vice-Chancellor;



- (b) The Pro Vice-Chancellor;
 - (c) Deans;
 - (d) Three persons not below the rank of Associate Professor, nominated by the Government;
 - (e) Heads of the Department or Directors of Centres of the University, as the case may be;
 - (f) Ten eminent persons from among the persons in the concered discipline of the University, industry and public sphere nominated by the sponsoring body;
 - (g) Three students nominated by the Vice – Chancellor, of whom one shall be a research scholar for a period of one year.
- (3) The Academic Council shall meet at least twice in every year;
- (4) The quorum for the meeting shall be fifty percent of total members.
- (5) The Vice-Chancellor shall be the Chairperson of the Academic Council;
- (6) The Academic Council shall be reconstituted every five years.
- (7) The Academic Council shall, subject to the provisions of this Act, have the following powers and functions namely: -
- (a) to advise the Governing Council and the Executive Council on all academic matters;
 - (b) to make, amend or repeal Regulations;
 - (c) to prescribe the programmes and courses of studies conducted by the University in collaboration with other Universities or institutions;
 - (d) to prescribe the qualifications of students for admission to various programmes of study and to the examinations and the terms under which exemptions may be granted;
 - (e) to make provision for the admission of students to the various programmes in order to maintain standards of education;
 - (f) to give necessary proposals for instruction and training in such branches of study as it may think fit;
 - (g) to give proposals for research and for the advancement and dissemination of knowledge;
 - (h) to give proposals for the institution of professorships, associate professorships, assistant professorships and other teaching and research related posts required for the University;
 - (i) to recommend for the institution of fellowships and other grants;
 - (j) to recommend on the degrees, diplomas and other academic distinctions that shall be granted by the University;
 - (k) to decide on the examinations, diplomas, degrees and other academic distinctions of other Universities to be recognised as equivalent with those of the University, on the recommendations of the Board of Studies and to consult with other Universities for the recognition of the examinations of the University;



- (l) to co-ordinate teaching and learning in University teaching departments;
- (m) to exercise such other powers and perform such other functions as may be conferred or imposed on it by this Act, Statutes, Ordinances, Regulations, Rules or Bye-laws.

25. Boards of Studies. - (1) There shall be a Board of Studies attached to each Department of studies in the University;

(2) The constitution and powers of the Board of Studies shall be as may be prescribed by the Statutes;

(3) The members of the Board of Studies shall hold office for a period of three years from the date of assuming office.

26. Research Council. - (1) There shall be a Research Council to monitor and give advice to the University on any question regarding research;

- (2) The Research Council shall consist of the following members, namely:
 - (a) The Vice-Chancellor;
 - (b) the Pro -Vice- Chancellor;
 - (c) Three Deans of Faculties, nominated by the Vice Chancellor in consultation with Executive Council;
 - (d) Three eminent researchers from ouside the University, nominated by the Governing Council;
 - (e) One research scholar, nominated by the Vice-Chancellor for one year;
 - (3) The Vice -Chancellor shall be the chairperson of the Research Council;
- 4) The powers and functions of the Research Council including the delegation of its powers, shall be as may be prescribed by the Statutes.

Provided that, the research scholar who ceases to hold his office in the capacity of student shall continue till his successor assumes office.

27. Finance Committee. - (1) There shall be a Finance Committee to give advice to the University on any issue affecting its finances.

- (2) The Finance Committee shall consist of the following members, namely: -
 - (a) The Vice- Chancellor, who shall be the Chairperson;
 - (b) The Pro-Vice-Chancellor;
 - (c) One member nominated by the Governing Council from among themselves;
 - (d) One member nominated by the Executive Council from among themselves;
 - (e) One financial expert nominated by the sponsoring body.
- (3) The Finance Officer shall be the Secretary of the Finance Committee.

(4) The powers and functions of the Finance Committee and its procedure in financial matters, including the delegation of its powers, shall be as may be prescribed by the Statutes.

28. Planning Committee.- (1) The Planning Committee shall be the principal planning body of the University. The Planning Committee shall ensure that the infrastructure and academic support system that meets the norms prescribed by the regulatory bodies.



(2) The powers including the delegation of its powers, functions and constitution of the Planning Committee and its procedure in financial matters, shall be as may be prescribed by the Statutes.

29. *Students' Council*.- (1) There shall be a Students' Council in the University;

(2) The Students' Council shall consist of the following members, namely:

(a) the Pro-Vice-Chancellor, who shall be the Chairperson;

(b) three teachers nominated by the Executive Council, of whom shall be a woman;

(c) ten persons elected by the students from among themselves, of one of whom shall be a research scholar, one shall be a person belonging Schedule Caste or Schedule Tribes communities and two shall be female students;

(d) The Dean of Students' Welfare, who shall be the Secretary of the Students' Council.

(3) The students' council shall be reconstituted every year.

(4) Subject to the provisions of this Act and the Statutes, the Students' Council shall have the following powers, duties and functions, namely:

(a) to make recommendations to the Executive Council and to the Academic Council in matters affecting the academic work of the students, such as the structure of courses and, the corporate life in the University in so far as it concerns the students, and in like matters such as co-curricular and extra-curricular activities in the University;

(b) to make suggestions to the Executive Council and Academic Council in respect of rules relating to discipline or welfare of the students, sports, working of literary and other societies, management of hostels, student homes and non-resident student centres, development work, social work, students' health, National Service Scheme and National Cadet Corps and such other matters as may be prescribed by the Statutes;

(c) to communicate its views, observations and recommendations to any authority of the University in respect of any matter which concerns the students:

Provided that, if any question arises as to whether a matter concerns the students or not, the said issue shall be decided through voting.

(d) to take such steps as are necessary for the general welfare of students;

(e) to exercise such other powers and perform such other functions as may be conferred or imposed on it by this Act, Statutes, Ordinances or Regulations.

30. *Students' Rights*.- (1) Every student shall have such specific rights as may be prescribed by the statutes.

(2) The University shall be liable to promote and protect the rights of students.

(3) There shall be a student union and its constitution, powers and functions shall be as may be prescribed by the statutes.

31. *Students' Grievances*.- (1) There shall be a two-tier Grievance Redressal System as may be prescribed by the Statutes, namely:-

(a) Department Student Grievance Redressal Committee;
Student Grievance Redressal Committee.

(b) University



(2) The constitution, powers and functions of the committees shall be as may be prescribed by the Statutes.

32. Constitution of Committees.- Where any authority of the University is empowered under this Act or the Statutes to constitute committees, such Committees shall consist of the members of the authority concerned and of such other persons as the authority in each case may think fit.

33. Filling up of the vacancies.- Any vacancy of a member of any authority or body of the University shall be filled for the remaining period within two weeks by appointing or nominating a member from the date of occurrence of the vacancy.

34. Proceedings of the authorities and bodies of the University not to be invalidated.- No act or proceeding of any authority or body of the University shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the nomination of a member who has participated in the proceedings.

35. Removal from membership of the authorities of the University.- (1) The Executive Council may, remove by an order in writing made in this behalf, any person from membership of any authority of the University by a resolution passed by a majority of the total members of the Executive Council and by a majority of not less than two-thirds of the members present and voting at the meeting of the Executive Council, if such person has been convicted by a competent Court for an offence which in the opinion of the Executive Council involves moral turpitude.

(2) The Executive Council may by an order in writing made in this behalf, remove any person from the membership of any authority of the University if he becomes unsound mind or has been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken against such person.

(4) Each copy of orders made under sub-sections (1) and (2), as the case may be, shall, as soon as may be after it is so made, be communicated to the person concerned in the manner as may be prescribed and also report to the Governing Council.

36. Statutes.- Subject to the provisions of this Act, the Governing Council shall have the power to make Statutes for all or any of the following matters, namely:-

(a) the powers and duties of the officers of the University, not specifically provided for in this Act;

(b) the constitution, powers and functions of the authorities of the University, not specifically provided for in this Act;

(c) the procedure for election of members of the Governing Council, Executive Council, Academic Council, Students' Council and other authorities of the University and all other matters relating to these bodies, as may be necessary or desirable;

(d) award of degrees, diplomas, titles, certificates and other academic distinctions by the University;

(e) the withdrawal or cancellation of degrees, diplomas, titles, certificates and other academic distinctions;

(f) the holding of convocations to award degrees;

(g) conferment of honorary degrees;

(h) the maintenance of accounts and preparation and passing of annual budget of the University;



(i) All other matters which are to be or may be prescribed by the statutes under this Act.

37. Procedure for making Statutes.- (1) The Governing Council may, of its own motion take into consideration the draft of a Statute:

Provided that, in any such case, before a statute is passed, the Governing Council shall obtain and consider the opinion of the Executive Council.

(2) The Executive Council may propose to the Governing Council the draft of any Statute for consideration and such draft shall be considered by the Governing Council at its next meeting.

(3) The Governing Council may approve and pass a draft Statute proposed by the Executive Council or may reject or return it to the Executive Council for reconsideration, either in whole or in part together with amendments which the Governing Council may suggest.

(4) After any draft returned by the Governing Council under sub-section (3) has been further considered by the Executive Council, together with any amendments suggested by the Governing Council, it shall be again presented to the Governing Council with the report of the Executive Council thereon, and the Governing Council may then deal with the draft in any manner as it thinks fit.

(5) Where any Statute has been passed by the Governing Council, it shall be submitted to the Chancellor who may refer the Statute back to the Governing Council for further consideration or assent thereto or withhold his assent for reasons to be communicated to the Governing Council:

Provided that, if the Chancellor has not given his assent within thirty days from the date it has been submitted to the Chancellor, assent shall be deemed to have been given by the Chancellor.

(6) No Statute passed by the Governing Council shall be valid or come into force until assented to by the Chancellor.

(7) The Executive Council shall not propose the draft of a Statute or of an amendment to a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal; and any opinion so expressed shall be in writing and shall be considered by the Governing Council.

38. Ordinances.- Subject to the provisions of this Act and the Statutes, the Executive Council shall have power to make Ordinances providing for all or any of the following matters, namely:-

(a) the levy of fees in college and other institutions, by the University;

(b) the residence and discipline of students;

(c) the work load and pattern of teaching staff;

(d) the fixation of the scales of pay of various posts in the University and the conditions of service of officers of the University; and

(e) all other matters which by the provisions of this Act or the Statutes are to be, or may be, provided for by the Ordinances.

39. Procedure for making Ordinances.- (1) All Ordinances made under this Act shall have effect from such date as the



Executive Council may direct, but every Ordinance so made and the repeal of any Ordinance shall be laid before the Governing Council during its next succeeding meeting.

(2) If any Ordinance or repeal of an Ordinance is not laid before the Governing Council under sub-section (1), the Ordinance shall lapse or the Ordinance repealed shall revive after the next succeeding meeting of the Governing Council, as the case may be.

(3) Subject to the provisions of sub-sections (1) and (2), the procedure to be followed in making, amending or repealing Ordinances shall be as may be prescribed by the Statutes.

(4) No Ordinance involving expenditure shall be valid or come into force until assented to by the Chancellor. Once an ordinance requiring the assent of the Chancellor is presented to the Chancellor for his assent, such assent shall be deemed to have been given on the expiry of thirty days from the date of submission to the Chancellor, unless the Chancellor has communicated the reason to withhold assent.

40. *Regulations.*- Subject to the provisions of this Act, Statutes and Ordinances, the Academic Council may make Regulations providing for all or any of the following matters, namely:-

- (a) courses of study and the conduct of examinations;
- (b) admission of students to the various courses of study and to the examinations;
- (c) qualifications of teachers;
- (d) appointment and specifying duties of the Boards of Studies and examiners;
- (e) recognition of examinations, degrees and diplomas of other Universities as equivalent to the examinations, degrees and diplomas of the University; and
- (f) all other matters which under the provisions of this Act, Statutes and Ordinances are to be, or may be, prescribed by Regulations.

41. *Procedure for making Regulations.*- (1) All Regulations made under this Act shall have effect, from such date as the Academic Council may direct, provided that every regulation so made shall be laid before the Governing Council during its next succeeding meeting.

(2) Subject to the provisions of sub-section (1), the procedure to be followed in making, amending or repealing regulations shall be prescribed by the Statutes.

42. *Rules, Bye-laws and Orders.*- The Governing Council shall have power to issue rules, bye-laws and orders not inconsistent with the provisions of this Act, Statutes, Ordinances and Regulations, for the guidance and functioning of Boards and Committees and other bodies constituted under the provisions of this Act, or the Statutes or the Ordinances or the Regulations and for regulating the procedure and conduct of business at meetings of any other authority of the University other than the Governing Council;

(2) All such rules, bye-laws and orders shall have effect from such date as the Executive Council may direct.

(3) The Governing Council shall have power to cancel or modify any such rule, bye-law or order.

43. *Publication in the University Website.*- All Statutes, Ordinances and Regulations made under this Act shall be



published in the University Website within three days of its issue.

44. Annual Report.- (1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Governing Council on such date as may be prescribed and the Governing Council shall consider the report in its annual meeting.

(2) The Governing Council shall submit the annual report to the Chancellor along with its comments, if any.

45. Annual Accounts.- (1) The annual accounts and balance sheet of the University shall be prepared under the directions of the Executive Council and shall, atleast once every year without exceeding fifteen months interval, be audited by an experienced and qualified firm of Chartered Accountants eligible for conducting audit as per the provisions of the Chartered Accountant Act, 1949 (Central Act XXXVIII of 1949).

(2) A copy of the annual accounts, together with the audit report thereon, shall be submitted to the Governing Council and the Chancellor along with the observations of the Executive Council for approval.

46. Conditions of service of employees.- (1) All employees of the University shall be appointed or engaged as per the provisions of the statutes.

(2) Any dispute arising between the University and any of the employee appointed substantively, shall be referred to the Vice-Chancellor who shall decide on the dispute within one month from the date of such reference, after affording a reasonable opportunity to the employee.

(3) Any employee aggrieved by the decision of the Vice-Chancellor may file an appeal before the Chancellor. The decision of the Chancellor in such appeal shall be final.

47. Employees Provident Fund.- The university shall, for the benefit of its employees, constitute Provident Fund or provide such insurance schemes, as it deems fit, in such a manner and subject to such conditions as may be decided by the Executive Council.

48. Mode of proof of University records.- A copy of any receipt, application, notice, order, proceeding, resolution of any authority or committee of the University or other documents in possession of the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding, resolution, document or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein where the original would, if produced have been admissible in evidence.

49. Endowment Fund.- (1) The Sponsoring body shall establish an Endowment Fund of at least rupees twenty-five crore.

(2) It shall be used as a security deposit to ensure that the University complies with the provisions of this Act and functions in accordance with the provisions of this Act, Statutes, Ordinances and Regulations. The Government shall have the power to forfeit a part or the whole of the Endowment Fund if the University or the sponsoring body contravenes the provisions of this Act, Statutes, Ordinances or Regulations.

(3) The University may utilise the income from Endowment Fund for the development of infrastructure of the University or for meeting the recurring expenditure of the University.

(4) The money in the Endowment Fund shall be deposited in the Government Treasury and shall remain invested until the dissolution of the University.



50. *General Fund.*- (1) Every University shall establish a general fund to which the following sums shall be credited, namely:-

- (a) all fees which may be charged by the University;
- (b) all sums received from any other source;
- (c) all contributions made by the sponsoring body; and
- (d) all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being in force.

(2) The sums credited to the general fund shall be utilised to meet all the recurring expenditures of the University.

51. *Development Fund.*- (1) Every University shall establish a Development Fund, to which the following sums shall be credited, namely:-

- (a) development fees charged from students, with their prior approval from the Government;
- (b) all sums received from other sources for the development of the University;
- (c) all contributions made by the sponsoring body;
- (d) all contributions made in this regard by any other person or body, provided they are not prohibited by any law in force; and
- (e) income received from the Endowment Fund.

(2) The sums credited to the development fund from time to time shall be utilised for the development of the University.

52. *Maintenance of Fund.*- The funds established under sections 49, 50 and 51 shall be subject to general superintendance and control of the Governing Council, be regulated and maintained in such manner as may be prescribed.

53. *Power of Government to call for information and records.*- (1) It shall be the duty of the University or any authority or officer of the University to furnish such information or records relating to the administration, finance or other affairs of the University, as the Government may call for.

(2) If the Government, is of the opinion that of any of the provisions of this Act, Statutes, Ordinances or Regulations is violated, it may issue such directions to the University under section 56 as it may deem necessary.

54. *Dissolution of University.*- (1) If any University proposes its dissolution for any reason, written notice shall be given to the Government atleast six months before the dissolution.

(2) On receipt of notice referred to in sub-section (1), the Government shall, for the administration of the University from the date of dissolution of the University and until the last batch of students in regular courses of studies have completed their courses of studies, make such arrangement in such manner as may be prescribed.

55. *Expenditure of University during dissolution.*- (1) The Government shall utilise the endowment fund, the general fund and the development fund for meeting all expenses and settling all liabilities of the University in the event of dissolution of the University under section 54.



(2) If the funds referred to in sub-section (1) are insufficient to meet the expenses of the University, such expenses may be met by disposing of the properties or assets of the University by the Government.

(3) If the expenses cannot be met after steps under sub-section (1) and (2) are taken, proceedings including revenue recovery proceedings may be initiated against the members of the sponsoring body as if they are personally liable.

56. *De-recognition of the University.*- (1) Where the Government receives a complaint containing material and substantial allegations that a University is not functioning in accordance with the provisions of this Act, it shall require the University, within a period of not more than two months on receipt of such complaint, to show cause, the reason for not de-recognising the University.

(2) In the case of receipt of the reply of the University to the notice given under sub-section (1), the Government is satisfied that there is *prima facie* mismanagement or violation of the provisions of this Act in the functioning of the University, it shall order to conduct such inquiry as it deems necessary.

(3) For the purposes of an inquiry under sub-section (2), the Government shall by notification, appoint an officer or authority to inquire into the allegation regarding mismanagement or violation of the provisions of this Act.

(4) Every inquiring authority appointed under sub-section (3) shall, while performing its functions under this Act have the same powers of Civil Court under the Code of Civil Procedure, 1908 (Central Act V of 1908) trying a suit and in particular in respect of the following matters, namely:

- (a) summoning and enforcing the attendance of any witness and examining him on oath;
- (b) requiring the discovery and production of document;
- (c) requisitioning any public record or copy thereof from any office;
- (d) receiving evidence on affidavit; and
- (e) any other matter which may be prescribed.

(5) On receipt of the inquiry report, if the Government is satisfied that the University has violated the provisions of this Act, the Government shall direct the University to make necessary improvements and for proper implementation of the provisions of this Act.

(6) If it is observed that the University violating the provisions of this Act continuously, leading to a situation of financial mismanagement and maladministration in the University threatening the academic standards of the University, Government may appoint an administrator.

(7) The administrator appointed under sub-section (6) shall exercise all the powers and perform all the functions of the Governing Council and the sponsoring body under this Act and the administer the affairs of the University until the last batch of the students of the regular courses have completed their courses or syllabus and they have been awarded with degrees, diplomas, or other academic distinctions, as the case may be.

(8) After awarding the degrees, diplomas, or academic distinctions, as the case may be, to the last batch of students of the regular courses, the administrator shall give a report to that effect to the Government.

(9) On receipt of the report under sub-section (8), the Government may, after due consideration, continue the functioning of the University by vesting the powers of the Governing Council in any other sponsoring body having similar objectives or may with the prior approval of the U.G.C. or other regulatory bodies, de-recognise the University.



(10) In the event of de-recognition under sub-section (9), for meeting the expenses and settling the liabilities related to the University, the Government may utilize the Endowment Fund, the General Fund and the Development Fund. If the funds of the University are inadequate to meet the requisite expenses and liabilities of the University, the Government may dispose of the assets of the University or the properties of the University to meet the said expenses and liabilities.

57. Power of the Government to issue directions to the University on policy matters.- The Government may issue such directions, from time to time, to the University on policy matters not inconsistent with the provisions of this Act as it may deem necessary. Such directions shall be complied with by the University:

Provided that, the persons nominated by the Government in the bodies constituted under sections 22, 23 and 24 shall monitor compliance of these directions by the University.

58. Status of assets and liabilities on dissolution or de-recognition.- Subject to the provisions under sections 55 and 56, all assets, properties and liabilities including endowment fund, general fund, development fund and any other fund shall belong to the sponsoring body on de-recognition or dissolution of the University, as the case may be.

59. Powers of Government to form regulatory body for the purpose of this Act.- (1) The Government shall constitute a regulatory body to promote teaching, research, development and training so as to provide global standard of higher education to the students.

(2) The regulatory body shall consist of such members as may be prescribed by the rules and it shall exercise such powers and perform such functions as may be prescribed by the rules.

(3) A copy of the rules proposed to be issued under sub-section (2) shall be laid in draft before the State Legislative Assembly and if the approval of the Legislative Assembly is not received, the rules shall not be issued and if modifications are proposed, it shall be notified only in the such modified form.

60. Act to have overriding effect.- Notwithstanding anything contained in any other law or in any rules for the time being in force, inconsistent with the provisions of this Act, the provisions of this Act shall have overriding effect.

61. Powers of the Government to make rules. - (1) The Government may, by notification, make rules to carry out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

(a) the manner of preparing the project report, the details to be contained therein and the fee payable under section 5;

(b) sitting fees and allowances payable to the chairperson and members of the Expert Committee constituted under section 6;

(c) any other matter which is to be, or may be prescribed.

(3) Every rule made under this Act shall, as soon as it is made, be laid before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in any the rule or decides that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

62. Removal of difficulties.- If any difficulty arises as to the constitution or reconstitution of any authority of a University or in giving effect to the provisions of this Act, the Government may, by notification, make such provision, which it may consider necessary or deem fit and not inconsistent with the provisions of this Act, for the purpose of removing the difficulty:



Provided that, no such notification shall be issued after the expiry of two years from the date of commencement of this Act.

Schedule

(See sections 3 and 8)

Sl. No.	Name and place of the University. [Address]	Date of establishment of the Universities	Name and Address of the sponsoring body	Details of registration of the sponsoring body.
(1)	(2)	(3)	(4)	(5)

STATEMENT OF OBJECTS AND REASONS

Education is the process of gaining knowledge and skills. It encourages innovation and creativity. The State must strive to attract private investment for establishing new institutions, supporting existing institutions for creating new infrastructure and supporting research projects. The involvement of private sector in higher education is not only inevitable but essential for developing capacities, enhancing access and lessening the burden on public exchequer for financing higher education. The Private Universities help the transition of education to global education. These institutions will be able to show excellence in moulding students for a borderless world by adopting international standards in education. Though the higher education sector needs to be developed to meet the rising demand for higher education, the public investment is insufficient for the purpose. The Commission for the Reforms in Higher Education systems which was constituted to examine important aspects of the existing system of higher education in the State, particularly keeping in view the larger objectives of transforming the State into a knowledge society and developing a knowledge economy also recommended for the establishment of Private Universities in the State.

2. Several State Governments have made legislation for establishing Private Universities to provide quality education to the students and meet their educational needs. As the number of students in the State opting foreign countries for higher education are increasing, the Government felt that there is a need for reconstruction of the entire system of higher education in the State. Hence the Government have decided to bring a legislation providing for the establishment and regulation of Private Universities in the State.

3. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

Sub-clause (1) of clause 6 of the Bill provides for the constitution of an Expert Committee to examine the application received from a sponsoring body. Sub-clause (1) of section 59 of the Bill provides for the constitution of a Regulatory Body for promoting teaching, research, development and training so as to provide global standard of higher education to the students. An estimated annual recurring expenditure of Rupees seventy five lakhs is expected towards sitting fee and allowances to the members of the said Expert Committee and Regulatory Body as additional financial



liability from the Consolidated Fund of the State. An estimated non-recurring expenditure of Rupees twenty five lakhs is expected to be incurred as additional financial liability from the Consolidated Fund of the State, for matters including setting up infrastructure facilities.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (3) of clause 1 of the Bill empowers the Government to issue notification appointing the date of commencement of the Act.

2. Sub-clause (1) of clause 9 of the Bill empowers the Government to issue notification appointing the date of commencement of the University.

3. Item (e) of clause 11 of the Bill empowers the University to prescribe the manner of conferring honorary degrees and other distinctions.

4. Sub-clause (2) of clause 12 of the Bill empowers the University to prescribe the admission process.

5. Sub-clause (1) of clause 14 of the Bill empowers the University to prescribe the terms, conditions and procedure for the appointment of the Chancellor.

6. Item (d) of sub-clause (5) of clause 14 of the Bill empowers the University to prescribe the other powers of the Chancellor.

7. Sub-clause (9) of clause 15 of the Bill empowers the University to prescribe the powers and functions of the Vice-Chancellor.

8. Sub-clause (10) of clause 15 of the Bill empowers the University to prescribe the salary and other conditions of service of the Vice-Chancellor.

9. Sub-clause (5) of clause 16 of the Bill empowers the University to prescribe the salary and other conditions of service of the Pro-Vice-Chancellor.

10. Sub-clause (3) of clause 17 of the Bill empowers the University to prescribe the powers and functions of the Registrar.

11. Sub-clause (5) of clause 17 of the Bill empowers the University to prescribe the other powers and other functions of the Registrar.

12. Sub-clause (3) of clause 18 of the Bill empowers the University to prescribe the powers and functions of the Controller of Examinations.

13. Sub-clause (3) of clause 19 of the Bill empowers the University to prescribe the powers and functions of the Finance Officer.

14. Item (h) of clause 21 of the Bill empowers the University to prescribe that other authorities shall be the authorities of the University.

15. Item (g) of sub-clause (5) of clause 22 of the Bill empowers the University to prescribe the other powers of the Governing Council.

16. Item (b) of sub-clause (7) of clause 24 of the Bill empowers the Academic Council to make regulations and to amend and repeal them.

17. Item (c) of sub-clause (7) of clause 24 of the Bill empowers the University to prescribe the programmes and courses of study to be conducted in collaboration with other Universities or institutions.

18. Item (d) of sub-clause (7) of clause 24 of the Bill empowers the University to prescribe the qualifications of students for admission to various programmes of study and examinations and terms for granting exemptions.

19. Sub-clause (2) of clause 25 of the Bill empowers the University to prescribe the constitution and powers of the



Boards of Studies.

20. Sub-clause (4) of clause 26 of the Bill empowers the University to prescribe the powers including delegation of powers and functions of the Research Council

21. Sub-clause (4) of clause 27 of the Bill empowers the University to prescribe the powers including delegation of powers, functions and procedure in financial matters of the Finance Committee.

22. Sub-clause (2) of clause 28 of the Bill empowers the University to prescribe the powers including delegation of powers, functions, constitution and procedure in financial matters of the Planning Committee.

23. Item (b) of sub-clause (4) of clause 29 of the Bill empowers the University to prescribe the matters relating to the students.

24. Sub-clause (1) of clause 30 of the Bill empowers the University to prescribe the specific rights of the student.

25. Sub-clause (3) of clause 30 of the Bill empowers the University to prescribe the constitution, powers and functions of the Students' Union.

26. Sub-clause (1) of clause 31 of the Bill empowers the University to prescribe the Two-tier Grievance Redressal System.

27. Sub-clause (2) of clause 31 of the Bill empowers the University to prescribe the constitution, powers and functions of the Department Student Grievance Redressal Committee and University Student Grievance Redressal Committee.

28. Sub-clause (4) of clause 35 of the Bill empowers the University to prescribe the manner of communicating to the person concerned, the orders of Executive Committee for removing any person from the membership of any authority of the University.

29. Sub-clause (3) of clause 39 of the Bill empowers the University to prescribe the procedure to be followed in making, amending or repealing Ordinances.

30. Sub-clause (2) of clause 41 of the Bill empowers the University to prescribe the procedure to be followed in making, amending or repealing Regulations.

31. Sub-clause (1) of clause 44 of the Bill empowers the University to prescribe the date for submitting annual report of the University to the Governing Council.

32. Clause 52 of the Bill empowers the University to prescribe the manner of regulating and maintaining the endowment fund, general fund and development fund.

33. Sub-clause (2) of clause 54 of the Bill empowers the Government to prescribe the manner of administration of the University on dissolution of the University.

34. Sub-clause (3) of clause 56 of the Bill empowers the Government to appoint by notification, an officer or an authority for conducting inquiry into the allegations of mismanagement or violation of the provisions of the Act.

35. Sub-clause (4) of clause 56 of the Bill empowers the University to prescribe the powers that may be conferred to an inquiring authority for performing the functions of Civil Court.

36. Sub-clause (2) of clause 59 of the Bill empowers the Government to prescribe by rules the members of the regulatory body and its powers and functions.

37. Sub-clause (3) of clause 59 of the Bill empowers the Government to notify the rules of the regulatory body.

38. Sub-clause (1) of clause 61 of the Bill empowers the Government to make rules by notification for carrying out the provisions of the Bill.



39. Sub-clause (1) of clause 62 of the Bill empowers the Government to make provision for removing the difficulty, by notification, if any difficulty arises for constituting or reconstituting any authority of a University or for giving effect to the provisions of the Bill.

40. The matters in respect of which Rules, Statutes, Ordinances and Regulations may be made, or notifications may be issued, are matters of procedure and are of routine or administrative in nature. Further, the rules so made are subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is, therefore, of a normal character.

DR. R. BINDU.

